

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DOCKETED

NOV 20 2003

LORILLARD TOBACCO COMPANY,)
a Delaware corporation,)
Plaintiff,)
v.)
A & E OIL, INC., d/b/a MOBIL,)
Defendant.)

Civil Action No. 03C 5833

Judge Hart

Magistrate Judge Mason

JURY DEMANDED

MOTION TO AMEND CASE SCHEDULE

Plaintiff Lorillard Tobacco Company ("Lorillard") moves this Court to amend the case schedule to extend the close of discovery for four (4) weeks. In support of this motion, Lorillard states as follows:

1. This Court previously set the case schedule by Order dated September 18, 2003 with a close of discovery of November 17, 2003.
2. Since that time, Defendant A&E Oil ("Defendant") has not answered Lorillard's First Set of Interrogatories or Lorillard's First Set of Document Requests, despite this Court's order of October 29, 2003 granting Lorillard's Motion to Compel and ordering Defendant to respond to Lorillard's discovery requests by November 10, 2003.
3. Accordingly, through no fault of Lorillard, the parties have not been able to conduct meaningful discovery prior to November 17, 2003. Lorillard therefore requests this Court extend the close of discovery for an additional four (4) weeks, until December 15, 2003, so that Lorillard may further attempt to obtain discovery from Defendant.

F I L E D

NOV 17 2003

MICHAEL W DOBBINS
CLERK, U.S. DISTRICT COURT

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FILED
CLERK, U.S. DISTRICT COURT

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4. This is the first request for any extension of the case schedule.

Respectfully submitted,



John S. Pacocha
Cameron M. Nelson
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(312) 456-8400
Attorneys for Plaintiff

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NOTICE OF MOTION

To: Nancy Nowak Sander
Attorney at Law
8532 School St.
Morton Grove, IL 60053

PLEASE TAKE NOTICE that, on Wednesday, November 26, 2003 at 11:00 a.m. or as soon thereafter as counsel may be heard, we shall appear before the Honorable Judge Hart or any other judge sitting in his stead, in Room 2243 of the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois, and shall present the Motion to Amend Case Schedule, a copy of which is attached hereto and hereby served upon you.

Dated: November 17, 2003

LORILLARD TOBACCO COMPANY

By:



John S. Pacocha
Paul A. Haskins
Jeffrey Mote
Cameron Nelson
Attorneys for Plaintiff
Lorillard Tobacco Company

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NOV 17 2003

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

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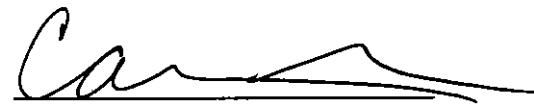
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CERTIFICATE OF SERVICE

I, Cameron M. Nelson, certify that on November 17, 2003, a true and correct copy of this **NOTICE OF MOTION** and **MOTION TO AMEND CASE SCHEDULE** was served on each of the following by facsimile and first-class mail:

Nancy Nowak Sander
Attorney at Law
8532 School St.
Morton Grove, IL 60053



Cameron M. Nelson

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